

### **Remarks/Arguments**

Reconsideration of this application is requested.

#### **Extension of Time**

A request for a two month extension of the period for response to the office action mailed on July 31, 2007 is enclosed. The extended period for response expires on December 31, 2007.

#### **Claim Status**

Claims 1-16 were presented. Claims 1, 8 and 11-16 are amended. Claims 7 and 10 are canceled without prejudice. Claims 1-6, 8, 9 and 11-16 are now pending.

#### **Claim Rejections – 35 USC 101**

Claims 15 and 16 are rejected under 35 USC 101 as directed to non-statutory subject matter. In response, claims 15 and 16 are amended to recite a program product embodied on a computer readable medium, and thus are now directed to statutory subject matter. The rejections of claims 15 and 16 under 35 USC 101 should accordingly be withdrawn.

#### **Claim Rejections – 35 USC 102**

Claims 1-16 are rejected under 35 USC 102(b) as anticipated by Asano (US 2001/0017719). In response, applicant traverses the rejections, and amends independent claims 1 and 11-16 to clarify the invention relative to Asano.

As described at page 26, line 23 to page 28, line 9 of applicant's specification, and with reference to FIGS. 3 and 9, applicant's invention includes a feature of generating varying region image data D4 that is displayed as a mask image (varying region image) 83a (I4). The mask or varying region image is just the region where color changes have occurred due to color adjustment on the input image. It is not the whole image, just the region of the image having color changes. Moreover, the image is expressed in achromatic color (gray) that is obtained from component value differences between the input image data and said adjusted image data. Thus, the user can recognize at a glance based on a single gray color the effect

of the color adjustment of the four CMYK colors. See page 28, lines 3-9, of applicant's specification.

With reference to this feature, which was formerly contained in dependent claims 7 and 10, the Action cites paragraphs 0032, 0033 and 0038-0040 of Asano. These passages describe, with reference to FIG. 6, modulated images 312a and 312b obtained from reference images 311a and 311b. However, none of these images depict just a region where a color change between the adjusted image and input image has occurred. Rather, modulated images 312a and 312b are whole images with parameters such as hue, saturation, lightness and contrast from reference images 311a and 311b being slightly modulated. Thus, modulated images 312a and 312b are whole adjusted images, and not just particular regions of an image where color changes have occurred. Moreover, modulated images 312a and 312b are not specific regions of an image expressed in an achromatic color to allow a user to recognize at a glance the effect of the color adjustment, as is provided by applicant's invention.

Claim 1 is amended to emphasize this feature. In particular, claim 1 is amended as follows to incorporate the limitations of dependent claims 7 and 10 (which are canceled without prejudice):

*...a step of generating varying region image data and outputting a varying region image that shows just a region having color changes due to color adjustment on said input image based on the information about the unadjusted color and the adjusted color, wherein said varying region image data is expressed in achromatic color obtained from component value differences between said input image data and said adjusted image data.*

Each of independent claims 11-16 is also amended to set forth this feature. Accordingly, since Asano does not disclose each and every feature of claims 1 and 11-16, it cannot anticipate those claims or claims 2-6, 8 and 9 dependent thereon. The rejections under 35 USC 102(b) should therefore be withdrawn.

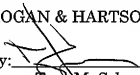
In addition to these amendments, applicant also amended the claims to correct various antecedent basis issues that were noted during preparation of this response.

### Conclusion

This application is now in condition for allowance. The Examiner is urged to contact the undersigned to resolve any issues that remain after consideration and entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,  
HOGAN & HARTSON L.L.P.

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